

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

3/10/21

United States of America
v.

TERRY SCOTT JONES

Case No.

3:21MJ84

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 5, 2021 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 922(g)(1) and 924(a)
(2)

Possession of a Firearm by a Prohibited Person.

21 U.S.C. §§ 841(a)(1)/ (b)(1)(A)
(viii)Possession with Intent to Distribute 50 grams or more of methamphetamine,
a Schedule II controlled substance.

18 U.S.C. § 924 (c)(1)(A)(i)

Possession a Firearm in Furtherance of a Drug Trafficking

This criminal complaint is based on these facts:

See affidavit of Kenneth Pitney, ATF

☒ Continued on the attached sheet.

Complainant's signature

SA Kenneth Pitney

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
FaceTime (specify reliable electronic means).Date: 3/10/21City and state: Dayton, Ohio

Signature

J.S. Magistrate Judge

and title

AFFIDAVIT

Your Affiant, Kenneth R. Pitney, being duly sworn, states as follows:

I.

INTRODUCTION

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since July 2013. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the ATF National Academy's Special Agent Basic Training Program. As such, I have become familiar with firearms and federal firearm laws. During my career with ATF, I have participated in the execution of numerous federal search and/or arrest warrants related to the illicit sale and theft of firearms and/or narcotics by armed subjects. I have been involved in numerous investigations of Federal firearms and controlled substances violations. These investigations have resulted in the arrest and conviction of criminal defendants. Through my training and experience, I know that drug traffickers oftentimes possess distribution amounts of controlled substances, proceeds of drug trafficking, and firearms to protect both their proceeds and controlled substances. I have learned the distinction between a user amount of narcotics and a drug dealer amount of narcotics.

II.

PURPOSE OF AFFIDAVIT

2. This Affidavit is prepared in support of a criminal complaint which seeks the arrest of **TERRY SCOTT JONES** (hereinafter referred to as "**JONES**"). I make this affidavit based upon my personal knowledge and participation in the subject investigation. My involvement in subject case has included reviewing witness interviews and reports of investigation, engaging in

discussions with other law enforcement agents knowledgeable of the facts and circumstances of this case, and other information gained through my prior training and experience.

3. The information outlined below does not reflect all the factual details I am privy to relating to the subject investigation, but rather is provided for the limited purpose of establishing probable cause to believe that on or about March 5, 2021, in the Southern District of Ohio, **JONES** possessed a firearm, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and said firearm was in and affecting commerce, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); possessed with intent to distribute 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1)/ (b)(1)(A)(viii); and possessed a firearm in furtherance of a drug trafficking, in violation of 18 U.S.C. § 924 (c)(1)(A)(i).

III.

FACTUAL SUMMARY OF PROBABLE CAUSE

4. On or about March 5, 2021, officers of the City of Moraine (Ohio) Police Department (MPD) developed a confidential source of information the (SOI) (hereinafter CI#21-02). CI#21-02 provided law enforcement officers with information they were able to factually corroborate. CI#21-02 further provided reliable, trustworthy and accurate information indicating JONES was in possession of a firearm and engaged in the sale of illicit narcotics. MPD officers thereafter instructed and supervised CI#21-02 in the making of recorded personal contact with **JONES** for the purpose of arranging for a controlled purchase of methamphetamine. After making contact, **JONES** instructed CI#21-02 to proceed to a location described as “Home2 Austin Landing” to conduct the purchase. MPD officers later determined that this location was a hotel

specifically identified as HOME2 Suites by Hilton located at 200 Austin West Boulevard, Miamisburg, Ohio 45342.

5. Prior to departing to the meet location, MPD officers thoroughly searched CI#21-02 for contraband, and outfitted him/her with an audio recording device in order to memorialize the anticipated drug purchase. Upon arriving at the hotel, **JONES** instructed CI#21-02 to meet him in room #208. Once at the room, CI#21-02 personally met with **JONES** and proceeded to purchase approximately six (6) grams of suspected methamphetamine for \$125.00. Following the drug transaction, CI#21-02 returned to the MPD officers. CI#21-02 was then searched by the officers. The suspected narcotics and recording device were removed from CI#21-02's person. During the post-undercover operation debriefing, CI#21-02 confirmed that **JONES** was in fact the person who just sold him/her the suspected narcotics.

6. Following the controlled purchase of the contraband, MPD officers sought, obtained and executed a state search warrant for HOME2 Suites by Hilton, room #208, located at 200 Austin West Boulevard, Miamisburg, Ohio 45342. Upon knocking on the hotel room door, a female, later determined to be Allison Cason, answered the door. After entering said premises, MPD officers observed **JONES** standing near the bed. A search of the hotel room ensued. During the course of this search, MPD officers discovered hidden underneath a pillow immediately adjacent to where **JONES** had been standing, suspected drug contraband. This suspected contraband consisted of: a bag containing approximately 93 grams of a white crystalline substance suspected to be methamphetamine; approximately twenty-seven (27) Alprazolam 2mg pills; other suspected narcotics and narcotics paraphernalia. A field test of said white crystalline substance confirmed it to be positive for methamphetamine. A loaded SCCY model CPX2 9mm, semiautomatic pistol, bearing serial number 316402 (hereinafter the FIREARM), was found

hidden in a man's shoe which was in close proximity to where **JONES** was first observed by officers. This FIREARM matches the exact description and appearance of a firearm depicted in a screen shot photograph **JONES** previously transmitted to CI#21-02 via a Facebook Messenger text message. **JONES** transmitted this screen shot earlier on March 5, 2021 in conjunction with an argument/disagreement he had with CI#21-02.

7. On March 8, 2021, your Affiant reviewed a law enforcement data base which revealed **JONES** had previously been convicted of a federal felony in the U.S. District Court for the Southern Ohio, to wit: in Case # 3:19-cr-00151-WHR, 18 U.S.C. §§ 922(u) and 924(i)(1) – Theft of Firearms from a Federal Firearms Licensee.

8. On March 8, 2021, your Affiant, who is an ATF Interstate Nexus Expert, examined the FIREARM and determined that it had in fact previously traveled in or affected interstate or foreign commerce.

///

///

///

///

///

///

///

///

///

///

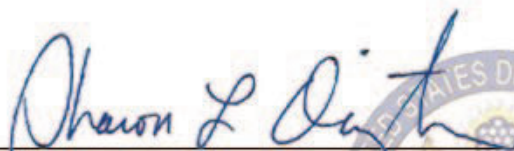
///

9. Based on the facts set forth in this affidavit, I believe probable cause exists to believe that, on or about March 5, 2021, in the Southern District of Ohio, **JONES** possessed a firearm, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and said firearm was in and affecting commerce, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); possessed with intent to distribute 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1)/(b)(1)(A)(viii)); and possessed a firearm in furtherance of a drug trafficking, in violation of 18 U.S.C. § 924 (c)(1)(A)(i).



Kenneth R. Pitney
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to and subscribed before me this 10th day of March 2021.


Sharon L. Ovington
United States Magistrate Judge